U.S. Department of Homeland Security
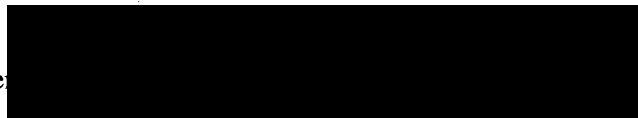20 Mass, Rm. A3042, 425 I Street, N.W.
Washington, DC 20536

U.S. Citizenship
and Immigration
Services

FILE: █████████   Office: LOS ANGELES   Date: **APR 2 8 2004**

IN RE: Obligor:
                Bonded Alie██████████████████████

IMMIGRATION BOND: Bond Conditioned for Voluntary Departure under § 240B of the Immigration
                           and Nationality Act, 8 U.S.C. § 1229c

ON BEHALF OF OBLIGOR: Self-represented

PUBLIC COPY

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to
the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The voluntary departure bond in this matter was declared breached by the Field Office Director, Detention and Removal, Los Angeles, California, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The record indicates that on May 28, 2003, the obligor posted a $500.00 bond conditioned for the voluntary departure of the above referenced alien. An order of the immigration judge (IJ) dated May 27, 2003, was issued granting the alien voluntary departure in lieu of removal on or before July 28, 2003. On February 2, 2004, the field office director concluded the bond had been breached. The alien has failed to depart.

The appeal has been filed by the bonded alien's attorney. The alien and the attorney are without standing in this proceeding.

An immigration bond is a contract between ICE and the obligor. The obligor or her attorney-in-fact is the proper party to appeal the ICE decision to breach the bond. *See Matter of Insurance Company of North America,* 17 I&N Dec. 251 (Act. Reg. Comm. 1978).

The regulations provide that an appeal filed by a person or entity not entitled to file it must be rejected as improperly filed. In such a case, any filing fee ICE has accepted will not be refunded. 8 C.F.R. § 103.3(a)(2)(v).

ORDER: The appeal is rejected.